**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**
**FARAD CONTINUNATION SHEET**
**CIVIL APPLICATION NO.428 OF 2004**
**IN**
**SECOND APPEAL NO.460 OF 2004**

.....

| **Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.** | **Court's or Judge's orders** |
|---|---|

.....

Ms Priyanka Patil for the Applicant
Mr.M.S.Lagu for the Respondent

**CORAM: A.S.OKA, J.**
**DATE : OCTOBER 25,2007.**

**P.C.:**

1. Heard Advocates appearing for the parties. The Second Appeal challenging the decree for possession passed against the Applicant has been admitted for final hearing. Hence, decree cannot be executed till the final disposal of the Appeal. However, the Applicant will have to maintain the property as its till the disposal of the Appeal. Morever, the Applicant cannot be permitted to create any third party interests in respect of the suit property. Hence, Civil Appliction is disposed of by passing the following order:

".There will be interim relief in terms of prayer clause (a) subject to condition that the Applicant will not create any third party interests in respect of the suit property and will not part with

possession thereof in favour of third party. No order as to costs."